

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A record carrier comprising

[[ - ]] a data area ~~(22)~~ for storing data in the form of marks, in which the data is encoded by means of a channel code, wherein a parameter of the channel code is controlled so as to introduce a predetermined run length distribution in the marks on the record carrier, thereby introducing first information relating to a visually discernable watermark, and

[[ - ]] a non-data area ~~(21,23)~~ comprising second information relating to a the visually discernable watermark,

the first and the second information together forming the visually discernable watermark.

2. (Currently amended) ~~A~~ The record carrier as claimed in claim 1, wherein the first and the second information forming the visually discernable watermark ~~(34,36)~~ are ~~orientated~~ visually aligned with respect to each other.

3. (Currently amended) A—The record carrier as claimed in claim 2, wherein the first and the second information is orientated with respect to each other using position information ~~(54)~~—present in the ~~a~~-non-data area.

4. (Currently amended) A—The record carrier as claimed in claim 2, wherein the record carrier further comprises angle information indicating a predetermined angle between the first information and the second information.

5. (Currently amended) A—The record carrier as claimed in claim 4, wherein the predetermined angle information—is used as authentication information.

6. (Currently amended) A—The record carrier as claimed in claim 1, wherein the non-data area is both of an inner-ring area ~~(21)~~ and/or and an outer-ring area ~~(23)~~.

7. (Currently amended) A—The record carrier as claimed in claim 1, wherein the non-data area is a graphics band, text band, matrix

band or identification band.

8. (Currently amended) ~~A~~—The record carrier as claimed in claim 1, wherein the second information comprises at least one of picture and/or text information.

9. (Currently amended) ~~A~~—The record carrier as claimed in claim 1, the data area comprising a pattern of substantially parallel tracks, wherein the predetermined run length distribution is correlated from track to track, so that the first information is visually detectable.

10. (Currently amended) ~~A~~—The record carrier as claimed in claim 1, wherein a portion of the first information is non-visually detectable.

11. (Currently amended) ~~A~~The record carrier as claimed in claim 1, in which the channel code is the EFM channel code as used for the CD Digital Audio disc, wherein the parameter is the choice of merging bits.

12. (Currently amended) A ~~The~~ record carrier as claimed in claim 1, wherein the parameter is the choice between channel words for information words from alternative tables, for example, information words 1 up to and including 88 in the EFM+ channel code as used in DVD, or the choice between sync words or the choice between states.

13. (Currently amended) A method of providing a watermark on a record carrier, the method comprising ~~the steps~~ acts of:

- [[ - ]] receiving uncoded data,
- [[ - ]] receiving first information relating to the watermark, which first information is to be provided in the encoded data,
- [[ - ]] receiving second information relating to the watermark, which second information is to be provided in a non-data area,
- [[ - ]] encoding the uncoded data to encoded data by means of a channel code, in which a parameter of the channel code is controlled under the influence of the first information relating to the watermark for introducing a predetermined run length distribution in the marks on the record carrier,
- [[ - ]] storing the encoded data on the record carrier to render the watermark visually discernable in a data area,

[[ -]] storing the second information in the non-data area to  
render the watermark visually discernable in the non-data area.